

To the extent Plaintiff's filing constituted a request for leave to file an Amended Complaint, it was denied without prejudice by Order entered on April 25, 2023. Doc. 40.

On May 8, 2023, Plaintiff submitted additional materials, including a proposed Amended Complaint and a document entitled "Plaintiff Petitions the Court to Include EEOC Complaint No. 430 – 2023 – 00661 in this Pending Civil Case." Doc. 41.

Though Plaintiff's current filings are not in complete compliance with the applicable Rules, it does appear that Plaintiff wishes to renew his request for leave to file an Amended Complaint. Accordingly, and in the exercise of discretion and bearing in mind Plaintiff's status as a pro se litigant, the Court will construe Plaintiff's filings as being a motion, and will give Defendant an appropriate opportunity to respond.

IT IS THEREFORE ORDERED THAT:

1. The referral of this matter to the Pro Se Settlement Assistance Program is **TERMINATED**.
2. The clerk is respectfully directed to schedule an initial pretrial conference, to be held in person.

3. The clerk is also respectfully directed to amend the docket to show the documents filed by Plaintiff on May 8, 2023 as being a motion for leave to file an amended complaint. Any response from Defendant to the motion shall be filed on or before May 26, 2023. Any reply from Plaintiff to Defendant's response shall be filed on or before June 6, 2023.

Signed: May 18, 2023

A handwritten signature in black ink, reading "W. Carleton Metcalf", written over a horizontal line.

W. Carleton Metcalf
United States Magistrate Judge

